

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Be it remembered that a regular meeting of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun and held at the Long Beach School District Central Office, 19148 Commission Road, in said City and the same being the time and place fixed for holding said meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: Commission Chairman Frank Olaivar, Commissioners Tony Vancourt, Danny Hansen, John Castleberry, Jacquie Lipski, Tonda Yandell, Dale Hare, Planning Commission Advisor Bill Hessell, Building/Code Official Earl Levens and Minutes Clerk Veronica Howard.

Commissioners Gretchen Loftus and William "Chip" Williams were absent the meeting.

\* \* \*

There being a quorum present and sufficient to transact the business of this regular scheduled meeting the following proceeding were had and done.

\* \* \*

The meeting was called to order and the Commission Chairman stated that all decisions made at this meeting would need to be ratified by the Mayor and Board of Aldermen at their next regularly scheduled meeting of March 2, 2010, and subject to a ten-day appeal in time for a Public Hearing.

\* \* \*

Commissioner Vancourt made motion seconded by Commissioner Hansen to suspend the rules and add to the agenda NEW BUSINESS as follows: 2.) Sketch Approval for a Planned Unit Development (P.U.D) for property along Klondyke Road submitted by Long Beach Estates 3.) Discussion – proposed Zoning Text Change for the C-1 Central Business District.

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After careful review and consideration Commissioner Lipski made motion seconded by Commissioner Vancourt and unanimously carried to approve the Planning Commission Minutes of February 11, 2010, with the following corrections: Page 8, the motion to approve the Certificate of Resubdivision submitted by Skipper Smith should have been subject to the applicant providing seventy-five feet (75') of road frontage along 28<sup>th</sup> street for parcel #2.

\*\*\*\*\*

It came for consideration a PUBLIC HEARING to consider a Zone Change from R-1 Single Family Residential to R-3 High Density Multi-Family Residential for property located on Beatline Road, tax parcel number 0512C-01-003.000 submitted by Is-Biz, Inc., Sherry Harper as follows:

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LONG BEACH PLANNING COMMISSION**



CITY OF LONG BEACH  
PLANNING DEPARTMENT  
645 KLONDYKE ROAD / PO BOX 929  
LONG BEACH, MS 39560  
(228) 863-1554

Office use only	
Date Received	_____
Zoning	_____
Agenda Date	_____
Check Number	_____

APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE: ZONE CHANGE REQUEST
- II. Advalorem Tax Parcel Number(s): 0512C-01-003.000
- III. Address of Property Involved: 0 Beatline Rd. Long Beach, MS
- IV. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)  
A small apartment complex for self-sufficient senior citizens. see attached.

- V. REQUIRED ATTACHMENTS:
- A. Interest and Ownership. The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water). Claims of support or "no objection" from owners of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.
  - B. Survey and Site Plan. If the proposed amendment would require a change in the Zoning Map, a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;
  - C. Development schedule. The time schedule for the beginning and completion of development planned by the applicant in the area, if the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage.
  - D. Effect of Amendment. A report giving the nature, description and effect of the proposed amendment, if the proposed amendment would require a change in the Zoning Map, description of the probable effect on the surrounding land uses and properties.
  - E. Error. The error in the Ordinance that would be corrected by the proposed amendment, if the intent is to correct an error.
  - F. Recorded Warranty Deed. A deed which includes a legal description of the specific piece of property involved in the request. If several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
  - G. Fee. Attach a check in the amount of \$100.00. This check should be made payable to the City of Long Beach to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.

**\*\*\*NOTE\*\*\* APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.**

- VI. OWNERSHIP AND CERTIFICATION:  
**READ BEFORE EXECUTING.** Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2<sup>nd</sup> or 4<sup>th</sup> Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.
- Ownership: I the undersigned do hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

<u>Is-Biz, Inc - Sherry Johnson</u> Name of Rightful Owner (PRINT)	_____ Name of Agent (PRINT)
<u>207 Wildwood Trce</u> Owner's Mailing Address	_____ Agent's Mailing Address
<u>Hattiesburg, MS 39402</u> City State Zip	_____ City State Zip
<u>601 270 1210</u> Phone	_____ Phone
<u><i>Sherry Johnson</i></u> Signature of Rightful Owner	_____ Signature of Agent
<u>01/28/10</u> Date	_____ Date

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**Attachment A.**

Interest and Ownership –

Current Owner  
James and Linda Sample  
7468 Longridge Rd, Long Beach, Ms 39560

IsBiz has contracted to purchase the property contingent upon rezoning suitable for the proposed project. (copy attached)

IsBiz, Inc., a Mississippi Corporation, Secretary of State Buisness Id # 938529  
207 Wildwood Trace, Hattiesburg, MS, 39402  
601 268 6867  
530 364 8855 Fax

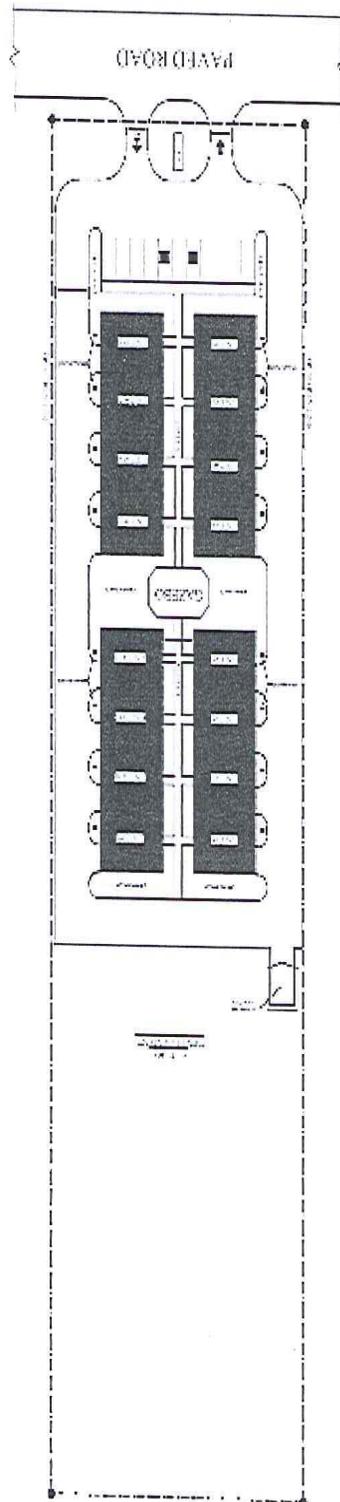
Principals and Owners

Sherry M. Johnson, President  
207 Wildwood Trace, Hattiesburg, MS 39402  
601 268 6867  
530 364 8855 Fax

Bix M. Johnson, Vice President/Secretary  
207 Wildwood Trace, Hattiesburg, MS 39402  
601 268 6867  
530 364 8855 Fax

**MINUTES OF FEBRUARY 25, 2010  
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B.1 Site Plan

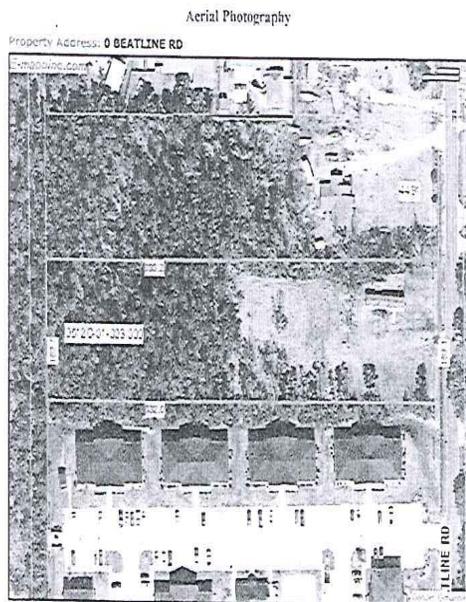


**MINUTES OF FEBRUARY 25, 2010  
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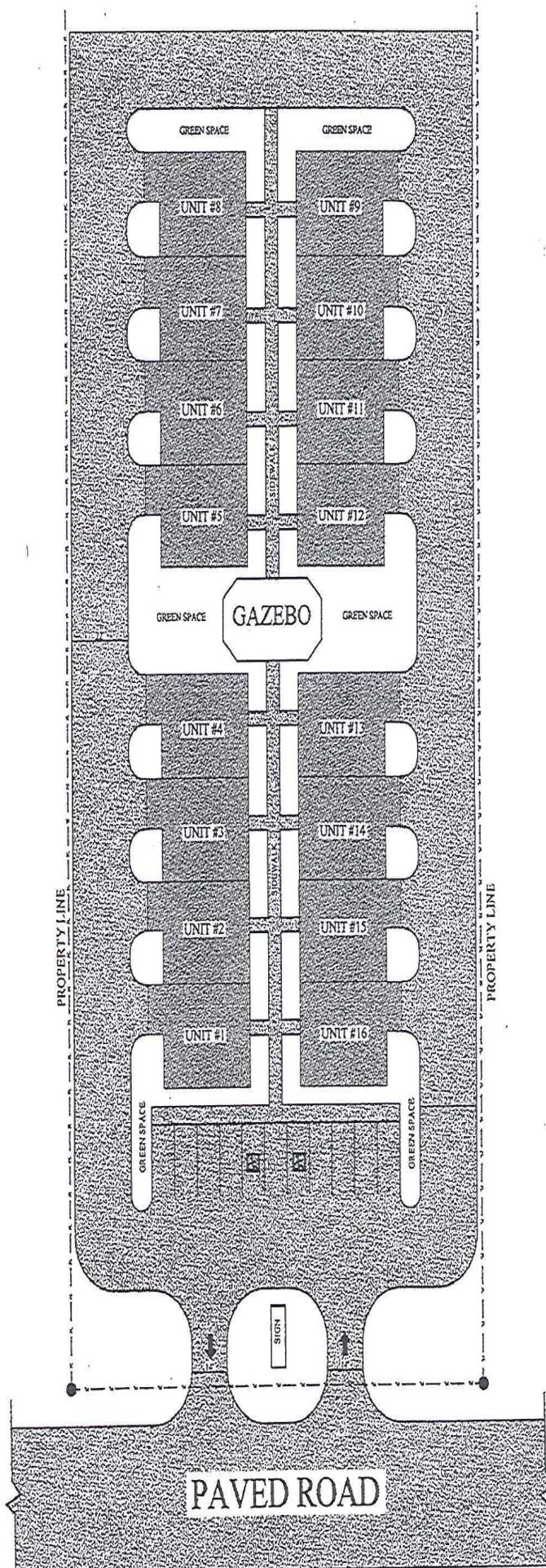
**B.2 Property Location**



**B.3 Aerial**



**MINUTES OF FEBRUARY 25, 2010  
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LONG BEACH PLANNING COMMISSION**



From: Jonathan Boone  
 Fax: +1 (800) 574-1397  
 To: Sherry Johnson  
 Fax: +1 (530) 364-8855  
 Page 1 of 2 1/25/2010 9:38

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**ATTACHMENT C**

Development Schedule

Construction will begin within six (6) weeks of zoning change and should be completed within one (1) year.

A second phase may be added with the same size units and floor plans in two to four years.

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**ATTACHMENT D**

Effects of Amendment

The property joins an existing apartment complex (Hampton House Apartments). The tenants, being Seniors, will generally be retired who's schedules are generally counter to the normal "rush hour" drivers which will cause a minimal impact on traffic.

No effect is expected on the surrounding land uses and properties.

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**ATTACHMENT E**

No Error is to be corrected.

**MINUTES OF FEBRUARY 25, 2010  
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**ATTACHMENT F.**

Recorder Warranty Deed.

No deed has been recorder at this time. A copy of the Contract for Sale is attached.

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**CONTRACT FOR THE SALE AND PURCHASE OF REAL ESTATE  
LOTS AND LAND**

This form is provided as a courtesy to the parties only. It is not required to be used in this transaction and may not fit the needs, goals and purposes of the parties. The Mississippi Association of REALTORS® makes no statement or warranty as to this form, its contents or use, and the parties, by their use of this form, acknowledge said facts and agree that neither the Mississippi Association of REALTORS® nor any member thereof shall be liable to any party or person for its contents or use. If any party to this transaction does not fully understand it, or has any question, the party should seek advice from a competent legal professional before signing.

- 1 1. This Contract for the Sale and Purchase of Real Estate Lots and Land is made this the 18th day of  
2 January, 2010.
- 3 2. Buyer(s) IS-Biz, Inc. Sherry Johnson, Pres., and Bix Johnson, Sec. agree(s) to  
4 buy and Seller(s) James A Sample, Linda Sample agree(s)  
5 to sell the herein described Property with legal description as follows:  
6 S 1/2 Lot 2 Blk 1 -2 1/2 Acs - Cox Subd SEC 16-8-12 0 Beatline Rd., Long Beach,  
7 MS 39560  
8 \_\_\_\_\_ in Harrison County, MS.  
9 The property is further described as tax parcel # 0512C-01-003.00 in the records of the county courthouse  
10 within which the Property is located, the exact legal description to be determined by survey (if warranted and the  
11 parties agree) to be secured and paid for by the party indicated in the Clause herein entitled COSTS OF SALE.
- 12 3. PURCHASE PRICE: The Buyer will pay a total sum of \$ 92,500.00  
13 **Cash Down Payment:** Paid at Closing and subject to adjustments and prorations \$ \_\_\_\_\_  
14 **BALANCE:** Balance payable \$ 92,500.00  
15 Balance is payable as follows: Cash  
16  Sale is contingent upon Buyer(s) qualifying for loan under the following terms:  
17 \_\_\_\_\_  
18 If sale is contingent upon Buyer(s)' ability to qualify for a loan, Buyer(s) shall make loan application within  
19 five (5) calendar days of the effective date of this Contract.
- 20 4. THE FOLLOWING FINANCING STATEMENT  IS  IS NOT APPLICABLE:  
21 Property must appraise at or above sale price or Buyer(s) shall not be obligated to complete the purchase of  
22 Property described herein and all earnest money shall be refunded to the Buyer(s).
- 23 5. EARNEST MONEY: A sum of \$ 1,000.00 (per cash  check ) deposited with  
24 Latter & Blum Shaw Properties [Broker/Trustee], who shall hold it in trust, presuming  
25 clearance of check. Upon acceptance of the Contract, deposits and down payments received by above named  
26 Broker/Trustee shall be deposited in an escrow account and shall remain in that account until the transaction has been  
27 consummated or terminated. All such funds will be deposited by the above named Broker/Trustee in federally insured  
28 accounts. The Broker has the authority to provide the earnest money to the rightfully entitled party based upon the  
29 terms of the Contract. Any party who wrongfully terminates this Contract shall forfeit its right to any earnest money  
30 funds. In the event the Broker cannot determine by the terms of the Contract which party is rightfully entitled to the  
31 earnest money, Broker shall interplead the funds.
- 32 6. MULTIPLE LISTING SERVICE (MLS): The Selling Broker is a participant of the Mississippi Gulf Coast  
33 Multiple Listing Service and the sales information will be provided to the MLS to be published and disseminated to  
34 it's participants, if applicable.
- 35 7. PURCHASER HAS EXAMINED THIS PROPERTY and agrees to accept same in its present condition, except as  
36 may be specified herein.



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STATE OF MISSISSIPPI  
COUNTY OF HARRISON

BOOK 1058 PAGE 152

ENTER

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, CHRISTELL CARTER BRIDGES, does hereby sell, convey and quitclaim unto JAMES A. SAMPLE, An Individual, the title to the following described land and property being situated and located in Harrison County, Mississippi, and being more particularly described as follows, to-wit:

The South one-half (S 1/2) of Lot 2, Block 1, COX'S SUBDIVISION of the NE 1/4 of Section 16, Township 8 South, Range 12 West, of Harrison County, Mississippi, as per the official plat thereof on file and of record in Book 10 at Page 20 of the Records of Plats of Harrison County, Mississippi, in the Office of the Chancery Clerk of Harrison County, Mississippi.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way, easements and reservations of any oil, gas, minerals and other rights.

WITNESS THE SIGNATURE of the Grantor herein, this the 4 day of December, 1986.

*Christell Carter Bridges*  
CHRISTELL CARTER BRIDGES

Kropf and Johnson  
Mingee & Wood  
1111 25th AVENUE  
P. O. BOX 310  
COLUMBIANA, MS 38922  
U.S.A.  
901/868-1176

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LOOK 1058 PAGE 153

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for said County and State, the within named CHRISTELL CARTER BRIDGES, who acknowledged that she signed and delivered the above and foregoing Quitclaim Deed on the day and in the year therein mentioned as her own free and voluntary act and deed.

GIVEN under my hand and official seal of office, this the 4<sup>th</sup> day of December, 1986.

*Becky Taylor*  
NOTARY PUBLIC



My Commission Expires:  
4-5-88

GRANTOR:

GRANTEE:

82/8



First Book	1.00
Add'l Fees	1.50
Mortgage Fee	1.50
Total Fees	4.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:  
I hereby certify that this instrument was received and filed for record at 3 o'clock and 59 minutes P M. on 10 day of Dec A.D. 19 86 and recorded 1058 in Records of Deeds Book 1058 Pages 152-153

G. N. Creel, Chancery Clerk  
By *G. N. Creel* D.C.

Kropf and Johnson  
Mintz & Wood  
1371 1/2 AVENUE  
P.O. BOX 710  
CLIFTON, MO 6502  
L.S.S.  
801.868.7146

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The Clerk reported that Sixteen (16) notices of Public Hearing were sent by Certified Mail, Return Receipt Requested, to property owners with two hundred feet of the subject property. Said return receipts were ordered as part of the record of these proceedings.

City of Long Beach

BOARD OF ALDERMEN  
Leonard G. Carrubba, Sr. - At-Large  
Gary J. Ponthieux - Ward 1  
Bernie Parker - Ward 2  
Kaye H. Couvillon - Ward 3  
Ronnie Hammons, Jr. - Ward 4  
Mark E. Lishen - Ward 5  
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.  
MAYOR

CITY CLERK  
TAX COLLECTOR  
Rebecca E. Schruoff

CITY ATTORNEY  
James C. Simpson, Jr.

**LEGAL NOTICE**

**PUBLIC HEARING**

In accordance with Article XII of the Comprehensive Zoning Ordinance (#344) of the City of Long Beach, Mississippi (1987) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a **Zoning Map Change**.

Is-Bix, Inc. – Sherry Johnson, 207 Wildwood Trace, Hattiesburg, MS 39402, Mississippi has filed an application for a zone map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning classification from R-1, Single Family Residential to R-3 High Density Multi-Family Residential for property located on Beatline Road. Tax Parcel Number: 0512C-01-003.000. The legal description is as follows:

The South one-half (S ½) of Lot 2, Block 1, Cox's Subdivision of the NE ¼ of Section 16, Township 8 South, Range 12 West, of Harrison County, Mississippi, as per the official plat thereof on file and of record in Book 10 at Page 20 of the Records of Plats of Harrison County, Mississippi, in the Office of the Chancery Clerk of Harrison County, Mississippi.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, February 25, 2010, at 6:00 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed  
Chairman  
Planning Commission

**MINUTES OF FEBRUARY 25, 2010  
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The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with general circulation in the City of Long Beach, and published in Harrison County, LEGAL NOTICE, PUBLIC HEARING, as evidence by the Publisher's Proof of Publication as follows:

**PROOF OF PUBLICATION**



STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTIA LARIX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 1 times in the following numbers and on the following dates of such paper, viz:

- Vol. 126 No., 131 dated 11 day of Feb, 20 10
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

FEB 17 2010

Cristia Larix  
Clerk

Sworn to and subscribed before me this 11 day of Feb, A.D., 20 10

Kandi Berkley  
Notary Public

KANDI A. BERKLEY  
Notary Public, State of Mississippi  
Harrison County  
My Commission Expires  
April 05, 2010

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Sherry Johnson came forward to state the development would be for citizens sixty-two (62) years of age and older, living independently. Each unit would be approximately 800 sq ft, there would be a gazebo for gatherings, the owner of the property would maintain the maintenance of the grounds and there would be no on-site manager.

\*

\*

Commission Chairman called for anyone wishing to speak in **FAVOR** in of the request.

**Ron Robertson**, 9 Southern Oaks Lane, stated there is a need for this type of project in the city.

\*

\*

Commission Chairman called for anyone wishing to speak in **OPPOSITION** of the request.

**Patricia Guice**, 4511 Beatline Road, stated the development would have a negative impact on the area, and there is no way to regulate what age group would live in the development.

**John Long**, 5007 Oak Court, stated agrees there is a need for this type of development, he is against changing the zoning; this development would be more appropriate for the downtown area, closer to shopping and safer pedestrian traffic; once the zoning is change the development does not have to happen and could end up becoming anything; if the development fails it could end up low income or left dilapidated.

**Bruce Bricker**, 5006 Oak Court.

**Carl Shifflett**, 5018 Live Oak, traffic concerns along Beatline Road.

**Robert Marrow**, 5008 Oak Court, stated there should be a way for this development to happen without changing the zoning.

**David Larosa**, 5004 Oak Court, stated if the project failed it would have a negative impact on the area.

**David Gordon**, 31 Ryan Circle.

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Commissioner Lipski made motion seconded by Commissioner Hansen and unanimously carried to CLOSE the public hearing.

Upon rebuttal the applicant stated because of the projected government funding, housing would be limited to the minimum age of sixty-two and older; other areas within the City were studied but the applicants determined this would be a good “step down” from Hampton House Apartments (to the South) leading into the single family homes, also with the new drug store, senior citizens building, Medical offices’ and Wal-Mart in the area it was determined this was the best location.

After considerable discussion Commissioner Yandell made motion seconded by Commissioner Vancourt and unanimously carried to DENY the request in accordance with Section 1301, City of Long Beach Zoning Ordinance 344.

\*\*\*\*\*

It came for consideration a PUBLIC HEARING to consider a Zone Change from R-4 Residential Farm/C-2 General Commercial to Planned Unit Development (P.U.D) for property on Klondyke Road, tax parcel number 0611G-01-016.000 submitted by Long Beach Estates as follows:

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LONG BEACH PLANNING COMMISSION**



CITY OF LONG BEACH  
PLANNING DEPARTMENT  
645 KLONDYKE ROAD / PO BOX 929  
LONG BEACH, MS 39560  
(228) 863-1554

*2-5-10 - Date Received  
C-2/R-4 - Zoning  
2-25-10 - Date on Agenda*

**APPLICATION FOR CASE REVIEW**

I. TYPE OF CASE: P.U.D (Planned Unit Development) REQUEST. (Step II, Preliminary Development Plan).

**\*\*NOTE\*\* This is an application for a change in Zoning.**

II. ADVALOREM TAX PARCEL NUMBER(S): 06116-01-016.000

III. GENERAL LOCATION OF PROPERTY INVOLVED: 9 acres running North on East side of Klondyke Rd from corner of Klondyke & South Rd East to Wilkerson Lane

IV. ADDRESS OF PROPERTY INVOLVED: 0 Klondyke Rd.

V. REQUIRED ATTACHMENTS:

1. Three (3) copies of a preliminary development plan (shall include the following):
  - a. A legal description of the total site proposed for development, including a statement of present and proposed ownership and present zoning.
  - b. A statement of planning objectives to be achieved.
  - c. A development schedule indicating the approximate date when construction of the PUD or stages of the PUD can be expected to being and be completed.
  - d. A statement of the applicant's attentions with regard to future selling or leasing of all or portions of the PUD such as land areas, dwelling units, etc.
  - e. Quantitative data for the following:
    1. Total number and type of dwelling units,
    2. Parcel size
    3. Proposed lot coverage of buildings and structures
    4. Approximate gross and net residential densities,
    5. Total amount of open space,
    6. Total amount nonresidential construction,
    7. Economic feasibility studies or market analysis when necessary, and,
    8. Other studies as required by the Planning Commission.
  - f. Site Plan and Supporting Maps (must contain the following minimum information):
    1. The existing site conditions including contours at one (1) foot intervals, water course, flood plains, and trees.
    2. Proposed lot lines and plot designs
    3. The location and floor area size of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, density per type, and non residential structures, including commercial facilities and architectural renderings of typical structures and improvements. Such drawings should be sufficient to relay the basic architectural intent of the proposed improvements, but should not be encumbered with final detail at this stage.
    4. The location and size in acres or square feet of all areas to be conveyed, dedicated or reserved as common spaces, public parks, recreational areas, school sites, and similar public and semi public uses.
    5. The existing and proposed circulation system of arterial, collector and local streets including off street parking areas, service areas, loading areas, and major points of access to public right-of-way (including major points of ingress and egress to the development). Notations of proposed ownership - public or private - should be included where appropriate.
    6. The existing and proposed pedestrian circulation system, including its interrelationship with the vehicular circulation system, indicating proposed treatments of point of conflict
    7. The existing and proposed utility systems including sanitary sewers, water, electric, gas, and telephone lines.
    8. A general landscape plan indicating the treatment of material used for private and common open spaces. The landscape plan should be in general, schematic form at this stage.
    9. Enough information on land areas adjacent to the proposed PUD to indicate the relationships between the proposed development and existing and proposed adjacent areas, including land uses, zoning classifications, densities, circulation systems, public facilities, and unique natural features of the landscape.
    10. The proposed treatment of the perimeter of the PUD including materials and techniques used as screens fences, and walls.
    11. Any additional information as required by the Planning Commission necessary to evaluate the character and impact of the proposed PUD.
2. **Interest and Ownership.** The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive

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V. **REQUIRED ATTACHMENTS:**

- A. **Interest and Ownership.** The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water). Claims of support or "no objection" from owners of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.
- B. **Survey and Site Plan.** a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;
- C. **Recorded Warranty Deed.** A deed which includes a legal description of the specific piece of property involved in the request. If, several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
- D. **Fee.** Attach a check in the amount of \$100.00. This check should be made payable to the City of Long Beach to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.

**\*\*\*NOTE\*\*\* APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.**

VI. **OWNERSHIP AND CERTIFICATION:**

**READ BEFORE EXECUTING.** Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2<sup>nd</sup> or 4<sup>th</sup> Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

Ownership: I the undersigned do hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

LONG BEACH ESTATES, LLC  
Name of Rightful Owner (PRINT)

Timothy R. Burge, P.E.  
Name of Agent (PRINT)

2330 UNIVERSITY AVE.  
Owner's Mailing Address

6158 Hwy A9 Suite 9  
Agent's Mailing Address

OXFORD MS 39155  
City State Zip

Hattiesburg Ms 39401  
City State Zip

662-236-5080 X116  
Phone

601-544-0078  
Phone

C.W. Chapman Pres 2/3/10  
Signature of Rightful Owner Date  
C.W. CHAPMAN, PRESIDENT

[Signature]  
Signature of Applicant Date

MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION

R4 C-2

under present guidelines 3000 sq. ft. is required per unit. We are requesting the ~~variance~~ PUD, <sup>mix use</sup> designation ~~except~~ request to allow \_\_\_\_\_ sq. ft. per unit, to allow for the multi level building development with underneath parking.

~~The ~~new~~ modern unit burden to meet elevation requirements enacted since Katrina,~~  
~~under~~ the most feasible project plan <sup>are</sup> to place unit in common use of necessary and required amenities such as elevator and stair ways.

The cost and ~~is~~ continuing maintenance/ upkeep of appropriate elevators is a very significant financial burden on any project and projects in operation.

Under present split zoning of C-2 and R-~~4~~ density areas <sup>with</sup> ~~are~~ <sup>unit</sup> ~~count~~  
Burden of inadequate unit count to assure ~~the~~ financial stability to support the high level of care and operation that is expected and achieved with Charter Consulting developments.

Unit count is critical to financial feasibility of ~~the~~ community, in <sup>our</sup> ~~our~~ <sup>onsite</sup> office, full time staffing to maintain the community's ~~to~~ high standard of operation.







**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

STATE OF MISSISSIPPI  
COUNTY OF WARREN



1st Judicial District  
Instrument 2008 2063 D -J1  
Filed/Recorded 3 7 2008 12 25 N  
Total Fees 13.00  
3 Pages Recorded

***WARRANTY DEED***

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid and other good and other valuable consideration, the receipt of all of which is hereby acknowledged, the undersigned, MICHAEL J. CHANEY (hereinafter referred to as Grantor), does hereby grant, bargain, sell, convey and warrant unto LONG BEACH ESTATES, LLC, a Mississippi limited liability company, (hereinafter referred to as Grantee), the following described real property, lying and being situated in the First Judicial District of Harrison County, Mississippi, and more particularly described as follows, to-wit:

An 8.99 +/- tract of property located on Klondyke Road, Long Beach, MS consisting of 2 parcels, more particularly described as:

PARCEL 1: LOTS 10 AND 11 QUARLES SUBDIVISION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 12 WEST, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

PARCEL 2: A PART OF JONES PARCEL AS SHOWN ON PLAT OF QUARLES SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 1, TOWNSHIP 8 SOUTH, RANGE 12 WEST, AND FROM SAID POINT RUN NORTH 1111.79 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID JONES PARCEL FOR THE POINT OF BEGINNING: RUN THENCE EAST 208.71 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID JONES PARCEL; THENCE NORTH ALONG THE EAST LINE OF SAID JONES PARCEL 209.7 FEET, MORE OR LESS, TO A POINT COMMON TO THE NORTH LINE OF LOT 10 QUARLES SUBDIVISION AND BEING AT A POINT ON THE SOUTH LINE OF THE PROPERTY CONVEYED TO SOUTH CENTRAL BELL TELEPHONE COMPANY; THENCE WEST 208.71 FEET, MORE OR LESS, TO THE WEST LINE OF SAID JONES PARCEL; THENCE SOUTH 209.7 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID JONES PARCEL AND THE POINT OF BEGINNING.

LESS AND EXCEPT:

THE EAST 10 FEET OF SAID LOTS 10 AND 11 OF QUARLES SUBDIVISION, AND THE SOUTH 25 FEET OF SAID LOT 11, WHICH WAS CONVEYED TO THE CITY OF LONG BEACH, MISSISSIPPI.

This conveyance is made subject to any and all regulations, ordinances, reservations, restrictions, easements, exceptions, covenants and conditions of record, including any oil, gas or other mineral reservations affecting the above described land.

Grantor reserves all oil, gas or other mineral reservations not previously reserved.

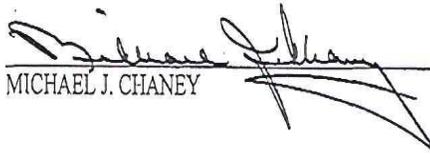
A handwritten signature in black ink, appearing to be "Michael J. Chaney".

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

2

Ad valorem taxes due for past years, if any, and assessed to said property for the year 2007 shall be paid by Grantor within 30 days of the date of closing.

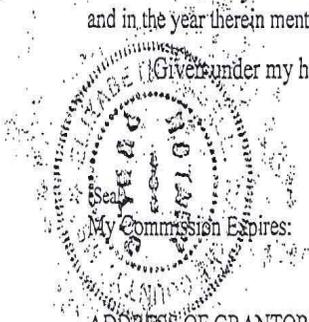
WITNESS the signature of the Grantor, this 28<sup>th</sup> day of February, 2008.

  
MICHAEL J. CHANEY

STATE OF MISSISSIPPI  
COUNTY OF WARREN

PERSONALLY APPEARED BEFORE ME, on this the 28<sup>th</sup> day of February, 2008, the undersigned authority in and for said County and State, the within named MICHAEL J. CHANEY who acknowledged that he signed, executed and delivered the above and foregoing Warranty Deed on the day and in the year therein mentioned.

Given under my hand and seal of office.



  
Notary Public

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES NOV 23, 2010  
BONDED THRU STEGALL NOTARY SERVICE

ADDRESS OF GRANTOR:  
MICHAEL J. CHANEY  
528 Inglewood Drive  
Vicksburg, Mississippi 39180  
Telephone No. (601) 529-4482

ADDRESS OF GRANTEE:  
LONG BEACH ESTATES, LLC  
2008 University Avenue, Suite E  
Oxford, Mississippi 38655  
Telephone No. (662) 236-5080

PREPARED BY:  
CHARTRE CONSULTING, LTD.  
2008 E. University Avenue, Suite E  
Oxford, Mississippi 38655  
Telephone No. (662) 236-5080

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

**CivilSouth Group Engineering and Surveying Consultants**

6158 Hwy 49, Suite 9 Hattiesburg, Ms 39401 (Ph) 601-544-0078 (Fax) 601-544-0071 tburge@comcast.net

**LEGAL DESCRIPTION**

PROJID: 0757/LBLLC CLIENT: LONG BEACH ESTATES, LLC

DATE: OCTOBER 21, 2008 DRAWING NAME: 0757 ALTA.DWG

REMARKS: 97,780 SQUARE FOOT WETLAND CONSERVATION EASEMENT FOR THE  
LONG BEACH ESTATES DEVELOPMENT, WILKERSON LANE, LONG BEACH,  
MISSISSIPPI.

DESCRIPTION: A PART OF LOTS 10 AND 11, QUARLES SUBDIVISION, IN THE  
SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 12 WEST,  
FIRST JUDICIAL DISTRICT, HARRISON COUNTY, MISSISSIPPI.

**MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

- 1) COMMENCE AT THE NORTHEAST CORNER OF LOT 10, OF THE QUARLES SUBDIVISION, HARRISON COUNTY, MISSISSIPPI, AS SHOWN ON THE OFFICIAL RECORD PLAT, THEREOF, ON FILE WITH THE CHANCERY CLERK OF HARRISON COUNTY, MISSISSIPPI;
- 2) THENCE RUN SOUTH EIGHTY-NINE (89) DEGREES, FIFTY-EIGHT (58) MINUTES, NINETEEN (19) SECONDS WEST {WEST PER RECORD} ALONG THE NORTH BOUNDARY OF SAID LOT 10 FOR 10.00 FEET TO A POINT ON THE WESTERLY BOUNDARY OF WILKERSON LANE PUBLIC ROAD FOR THE POINT OF BEGINNING;
- 3) THENCE CONTINUE SOUTH EIGHTY-NINE (89) DEGREES, FIFTY-EIGHT (58) MINUTES, NINETEEN (19) SECONDS WEST {WEST PER RECORD} AND ALONG SAID BOUNDARY FOR 245.49 FEET;
- 4) THENCE RUN SOUTH ZERO (00) DEGREES, ONE (01) MINUTES, FORTY-ONE (41) SECONDS EAST FOR 9.42 FEET;
- 5) THENCE RUN SOUTHERLY ALONG A CURVE TO THE RIGHT FOR 115.84 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING OF SOUTH ZERO (00) DEGREES, ONE (01) MINUTES, FORTY-ONE (41) SECONDS EAST FOR 91.66 FEET;
- 6) THENCE RUN SOUTH ZERO (00) DEGREES, ONE (01) MINUTES, FORTY-ONE (41)

PROJID\_07-57/LBELLCC

PAGE 1 OF 2

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



2-4-10

Long Beach Estates  
90 Unit residential lease community  
Affordable home program (LIHTC)

Construction is slated for immediate beginnings upon approval and permit issuance.

Target date for certificate of Occupancy is December 31, 2010.

2330 University Avenue, Oxford, Mississippi 38655  
George Glenn ☎ (601) 954-1836 ☎ (866) 338-9297 ✉ gglenn@chartre.com  
Corporate Offices ☎ (662) 236-5080 ☎ (662) 236-5089

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Long Beach Area Housing Market; prepared for Mr. Clarence Chapman, Long Beach Estates, LLC 2008 University Avenue, Suite E, Oxford, MS 38688; prepared by W.S. Loper and Associates, P.O. Box 4549, Jackson, MS 39296; February 2007, is on file in the office of the Clerk.

\*

\*

The Clerk reported that ten (10) notices of Public Hearing were sent by Certified Mail, Return Receipt Requested, to property owners with two hundred feet of the subject property. Said return receipts were ordered as part of the record of these proceedings.

City of Long Beach

BOARD OF ALDERMEN  
Leonard G. Carrubba, Sr. - At-Large  
Gary J. Ponthieux - Ward 1  
Bernie Parker - Ward 2  
Kaye H. Couvillon - Ward 3  
Ronnie Hammons, Jr. - Ward 4  
Mark E. Lishen - Ward 5  
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.  
MAYOR

CITY CLERK  
TAX COLLECTOR  
Rebecca E. Schruiff

CITY ATTORNEY  
James C. Simpson, Jr.

**LEGAL NOTICE**

**PUBLIC HEARING**

In accordance with Article XII of the Comprehensive Zoning Ordinance (#344) of the City of Long Beach, Mississippi (1987) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a **Zoning Map Change**.

Long Beach Estates, LLC, 2330 University Avenue, Oxford, MS 38655 has filed an application for a zone map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning classification from R-4, Residential/Farm/C-2 General Commercial to Planned Unit Development, Residential Standards for property located on Klondyke Road. Tax Parcel Number: 0611G-01-016.000. The legal description is as follows:

An 8.99 +/- tract of property located on Klondyke Road, Long Beach, MS consisting of 2 parcels, more particularly described as:

PARCEL 1: LOTS 10 AND 11 QUARLES SUBDIVISION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 12 WEST, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

PARCEL 2: A PART OF JONES PARCEL AS SHOWN ON PLAT OF QUARLES SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 1, TOWNSHIP 8 SOUTH, RANGE 12 WEST, AND FROM SAID POINT RUN NORTH 1111.79 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID JONES PARCEL FOR THE POINT OF BEGINNING; RUN THENCE EAST 208.71 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID JONES PARCEL; THENCE NORTH ALONG THE EAST LINE OF SAID JONES PARCEL 209.7 FEET, MORE OR LESS, TO A POINT COMMON TO THE NORTH LINE OF LOT 10 QUARLES SUBDIVISION AND BEING AT A POINT ON THE SOUTH LINE OF THE PROPERTY CONVEYED TO SOUTH CENTRAL BELL TELEPHONE COMPANY; THENCE WEST 208.71 FEET, MORE OR LESS, TO THE WEST LINE OF SAID JONES PARCEL; THENCE SOUTH 209.7 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID JONES PARCEL AND THE POINT OF BEGINNING.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, February 25, 2010, at 6:00 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed  
Chairman  
Planning Commission

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with general circulation in the City of Long Beach, and published in Harrison County, LEGAL NOTICE, PUBLIC HEARING, as evidence by the Publisher's Proof of Publication as follows:

**PROOF OF PUBLICATION**

**LEGAL NOTICE  
PUBLIC HEARING**  
In accordance with Article XII of the Comprehensive Zoning Ordinance (#344) of the City of Long Beach, Mississippi (1967) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Zoning Map Change.  
Long Beach Estates, LLC, 2330 University Avenue, Oxford, MS 38655 has filed an application for a zone map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning classification from R-4, Residential/Farm/C-2, General Commercial to Planned Unit Development, Residential Standards, for property located on Klondyke Road, Tax Parcel Number: 0811G-01-016.000. The legal description is as follows:  
An 8.99 +/- tract of property located on Klondyke Road, Long Beach, MS consisting of 2 parcels, more particularly described as:  
PARCEL 1: LOTS 10 AND 11 QUARLES SUBDIVISION, LOCATED IN THE SOUTH-WEST QUARTER OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 12 WEST, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.  
PARCEL 2: A PART OF JONES PARCELS AS SHOWN ON PLAT OF QUARLES SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCE AT THE SOUTH-WEST CORNER OF SAID SECTION 1, TOWNSHIP 8 SOUTH, RANGE 12 WEST, AND FROM SAID POINT RUN NORTH 1111.73 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID JONES PARCEL FOR THE POINT OF BEGINNING; RUN THENCE EAST 208.71 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID JONES PARCEL; THENCE NORTH ALONG THE EAST LINE OF SAID JONES PARCEL, 208.71 FEET, MORE OR LESS, TO A POINT COMMON TO THE NORTH LINE OF LOT 10 QUARLES SUBDIVISION AND BEING AT A POINT ON THE SOUTH LINE OF THE PROPERTY CONVEYED TO SOUTH CENTRAL BELL TELEPHONE COMPANY; THENCE WEST 208.71 FEET, MORE OR LESS, TO THE WEST LINE OF SAID JONES PARCEL; THENCE SOUTH 208.71 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID JONES PARCEL AND THE POINT OF BEGINNING.  
The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, February 25, 2010, at 6:00 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.  
/s/ signed  
Chairman  
Planning Commission  
ADV11,1THU  
1368630

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LANE who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 1 times in the following numbers and on the following dates of such paper, viz:

- Vol. 126 No., 131 dated 11 day of Feb, 2010
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

FEB 17 2010 Christa Lane  
Clerk

Sworn to and subscribed before me this 11 day of Feb, A.D., 2010

Kandi Berkley  
Notary Public  
KANDI A. BERKLEY  
Notary Public, State of Mississippi  
Harrison County  
My Commission Expires  
April 05, 2010

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

David Kelley Came forward to state request, stated there are no government funds supporting this project, after fifteen (15) years there would be an option to sell the units, there are plans to improve Stout Road, to add an excel/decal Lane on Klondyke Road, 2.4 acres would be left as wetlands, plans were to replant 6-8 foot trees along Klondyke Road.

Commission Chairman called for anyone wishing to speak in **FAVOR** of the request and no one came forward to be heard.

Commission Chairman called for anyone wishing to speak in **OPPOSITION** of the request.

**Randy Fisher**, 679 Klondyke Road, stated project would be of no benefit to the City, Klondyke Road could not support the traffic this development would cause, and there are currently too many vacant properties within the City.

**Melissa Fisher**, 679 Klondyke Road, stated project would be detrimental to the surrounding properties.

**Jim Haik**, 8 Ryan Circle, stated too much development without any benefit to the City.

**Ron Paul**, 7 Ryan Circle, concerns regarding traffic, flooding.

**Richard Turner**, 23 Ryan Circle

**Resident** at 5134 Wilkerson Lane, stated the developer has started out being a “bad” neighbor by cutting down protected trees without permission on private and public property.

**Faye Castiglia**, 668 Klondyke Road, flooding, traffic concerns.

**Frankie Castiglia**, 706 Klondyke Road, development does not benefit the City.

**Joe Henderson**, 30 Ryan Circle, development could possibly benefit the school district positively, but the proposed location is wrong.

**Dave Gordon**, 31 Ryan Circle, concerns project could decrease property value, too much density

Commissioner Yandell made motion seconded by Commissioner Hansen and unanimously carried to close the public hearing.

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

\*

\*

After considerable discussion Commissioner Vancourt made motion seconded by Commissioner Hansen to DENY the request stating the failure to see the benefit the development would have on the City, the hesitation to relinquish Commercial property for residential development and in accordance with Section 1301, Zoning Ordinance #344, the question being put to a roll call vote by the Chairman, the results were as follows:

Commissioner Lipski	Aye
Commissioner Hansen	Aye
Commissioner Vancourt	Aye
Commissioner Yandell	Aye
Commissioner Hare	Nay
Commissioner Castleberry	Aye

The question having received the affirmative vote of all the Commissioners, present and voting, the Chairman declared the motion carried to DENY the request.

\*\*\*\*\*

It came for consideration under OLD BUSINESS approval / review of the Comprehensive, Smart Code Plan and Architectural guidelines.

Work Session was scheduled for Tuesday, March 2, 2010, at the City Hall Complex, 645 Klondyke Road, 5:30 p.m.

\*\*\*\*\*

It came for consideration under NEW BUSINESS an application to remove two (2) Magnolia Trees located at 108 Marcie Drive submitted by Tony Loveless as follows:

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

City of Long Beach

FOR OFFICE USE ONLY
CHECK# <u>Cash</u>
DATE: <u>2-17-10</u>
PERMIT #
FEE: <u>\$25.00</u>



Receipt# 12106

*Application for Tree Removal*

- Single Family Residential  
 Multi-Family Residential, Commercial, or Industrial

Project (ex: Waffle House): ~~108 Marcie Dr~~ Tony Lovelless  
Use address if you don't have a project name

Address: 108 Marcie Dr.

**OWNER INFORMATION**

Last Name: Lovelless First: Tony MI

Address: 108 Marcie Dr.

City: Long Beach State: MS Phone: 313-6673

**CONTRACTOR INFORMATION**

Contractor: \_\_\_\_\_  
Contractor Business Name

License #: \_\_\_\_\_  Removal  Substantial Trimming

Description of Work: Removal of two severely diseased Magnolias. Mrs. Lentz looked at trees a few months ago.

Please either attach a tree site plan showing the location of the trees to be permitted or sketch their locations on the back of this application.

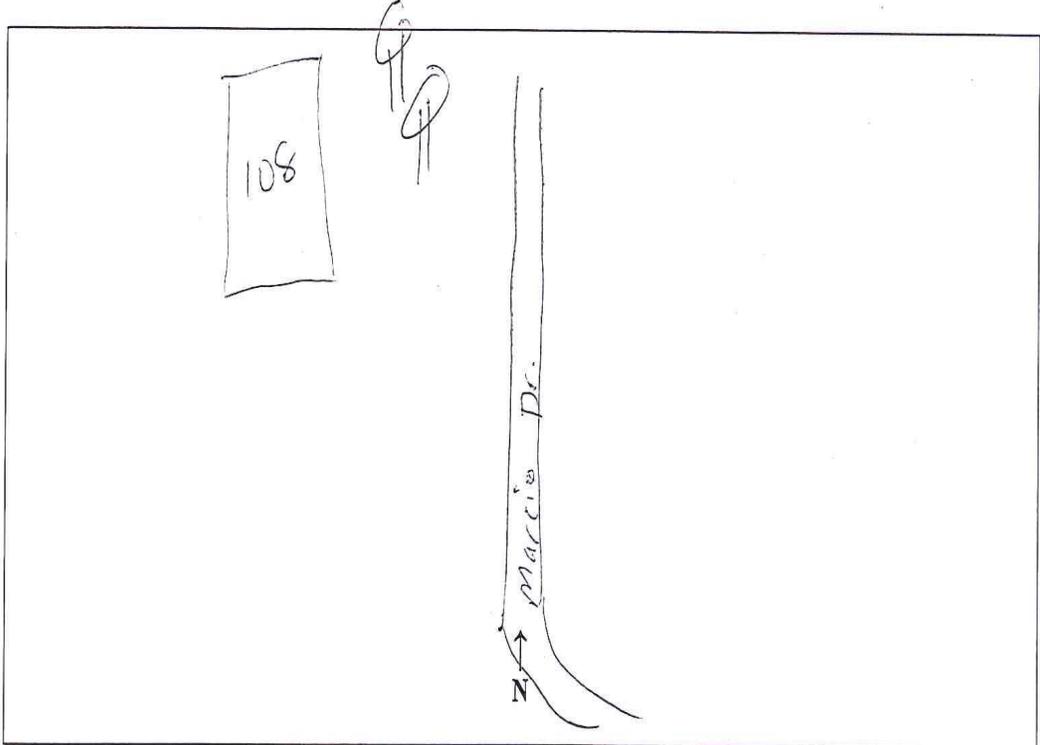
*I hereby make application for permit to perform the work as described herein and if permit is granted I agree to conform to all regulations and ordinances of the City pertaining thereto and in accordance with the plans submitted.*

Applicants Signature: Tony Lovelless Approved By: \_\_\_\_\_

Remarks: \_\_\_\_\_

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Tree Site Plan: Please show the location of all trees to be permitted



Why does the applicant/owner want to remove the tree(s):

---

---

---

CITY OF LONG BEACH TREE BOARD RECOMMENDATIONS BELOW:

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Harrison County Online!

Page 1 of 1

2009 Owner and Property Information

LOVELESS TONY L & STACEY L  
108 MARCIE DRIVE LONG BEACH MS39560

Physical Street Address:  
108 MARCIE DR

Parcel #:	PPIN	Tax District	Homestead Exp.	Judicial Dist.
0512H-03-020.000	40813	L	Regular	1

Supervisor District:

3

Subdivision:

MARCIE DRIVE SUBD

Exemption Code

Non-Exempt

Section	Township	Range	Book	Page
15	08	12	1643/0422	--

Acres	Land Value	Improvements	Total Value	Assessed Value
0	23000	94640	117640	11764

Legal Description

LOT 19 RE-SURVEY OF MARCIE DRIVE SUBD.

[Click Here To Print](#) | [Click To Close This Window](#)

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



The Long Beach Tree Board has no objection to the removal of two Magnolia trees in front of the Lovelace home at 108 Marcie Drive.

*Wesley Lentz*  
*President*

Upon the recommendation of the City of Long Beach Tree Board and in accordance with Ordinance 364 Commissioner Yandell made motion seconded by Commissioner Castleberry and unanimously carried to approve the removal of the two Magnolia tree.

\*\*\*\*\*

Due to the denial of the aforementioned Public Hearing, Zone Change request submitted by Long Beach Estates, no action was needed on the Sketch approval for a Planned Unit Development (P.U.D) for property along Klondyke Road submitted by Long Beach Estates.

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

\*\*\*\*\*

It came on for discussion a proposed Zoning Text Change for the C-1 Central Business District as follows:

**LEGAL NOTICE**

**PUBLIC HEARING**

In accordance with Article XII of the Comprehensive Zoning Ordinance (#344) of the City of Long Beach, Mississippi (1987) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a **Zoning Text Change**.

Long Beach Planning Commission has filed an application for a zone text change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning text for the C-1, Central Business District. The text change will require all uses presently allowed by "right" to be changed to require "planning commission approval" prior to the issuance of a building permit. The purpose of this proposed change is to ensure that the City has considered smart growth methodology, promoted uniformed development and encourage the creation of a strong economic and civic environment for the Central Business District, thereby enhancing the quality of life for all Long Beach residents.

The public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, \_\_\_\_\_, 2010, at 6:00 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed  
Chairman  
Planning Commission

**MINUTES OF FEBRUARY 25, 2010  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Commissioner Hare made motion seconded by Commissioner Yandell and unanimously carried to proceed to public hearing for the purpose of considering the aforementioned Zone Text Change.

\*\*\*\*\*

There being no further business to come before the Planning Commission at this time Commissioner Yandell made motion seconded by Commissioner Castleberry and unanimously carried to ADJOURN the meeting until the next regularly scheduled meeting in due course.

APPROVED:

\_\_\_\_\_  
Commission Chairman, Frank Olaivar

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Minutes Clerk, Veronica Howard